

**State of Louisiana
Office of Financial Institutions
Baton Rouge, Louisiana**

LOAN ORIGINATOR APPLICATION INSTRUCTIONS

A Loan Originator Application must be submitted for each person who meets the definition of an originator under the Residential Mortgage Lending Act (RMLA) LSA-R.S. 6:1081 et seq. **Originators must be either the owner of the company or an employee. (See attached Policy No. RML-01-03 for definition of employee.)**

LSA-R.S. 6:1083(6) of the RMLA defines origination as follows: *"Originator" means a natural person who is an employee of a mortgage broker or mortgage lender, or person exempt from licensure, who is not acting as a mortgage broker as defined in Paragraph (4) of this Section or as a mortgage lender as defined in Paragraph (5) of this Section who interviews the consumer in connection with the consumer's application for a residential mortgage loan. "Originator" does not include employees of a licensed mortgage broker or mortgage lender, or employees of a person who is exempt from licensure under the provisions of Part II of this Chapter, who perform clerical duties in connection with residential mortgage loan transactions, including but not limited to collecting financial information and other related documents that are part of the application process, ordering verifications of employment, verifications of deposits, requests for mortgage payoffs, and other loan verifications, appraisals, inspections, or engineering reports, or who perform the functions of a loan processor, at the direction of and subject to the supervision of the mortgage broker, mortgage lender, originator, or person exempt from licensure, who is responsible for such direction and supervision.*

Originators may originate loans only for the company whose name appears on their licenses. New originators and those originators transferring from one company to another CAN NOT engage in residential mortgage lending activities for the company until they have received a license. This application is for both new and transferring originators.

ATTACHMENTS:

FEES:

\$100 application fee

\$ 50 fee for licensed originators transferring to another company.

NOTE: A change in employment during the application process requires a new application and application fee.

PROOF OF PROFESSIONAL EDUCATION REQUIREMENT:

A copy of the Certified Professional Education (CPE) certificate verifying that 10-hours of CPE was completed by each Originator.

AUTHORITY TO OBTAIN INFORMATION FROM OUTSIDE SOURCES FORM:

This form must be completed, signed by each loan originator applicant, and notarized. Information contained in this document is kept confidential.

EMPLOYMENT/RESIDENCE HISTORY:

Complete the attached Employment/Experience History Form and List of Residential Addresses.

MAIL TO:

**Office of Financial Institutions
P. O. Box 94095
Baton Rouge, LA 70804-9095**

or

TO SEND OVERNIGHT:

**Office of Financial Institutions
8660 United Plaza Blvd – 2nd Fl.
Baton Rouge, LA 70809**

LOAN ORIGINATOR APPLICATION
Residential Mortgage Lending Act
(Any changes to this form may result in the application being returned.)

1. Complete Legal Name of Originator: _____
- Phone Number: Business () _____ Fax () _____
2. Name of Employer and Municipal Address of Main Office:
- _____
- _____
- _____
- _____
3. Office address of each location from which the originator may originate residential mortgage loans. (Attach additional page if necessary.)
- | Principal Location: | Other Locations: |
|---------------------|------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
4. Employment and/or Branch Agreement: ☐ Yes ☐ No (If yes, attach a signed copy.)
5. Submit a personal resume detailing your work experience for the past 10 years and a picture i.d.

EMPLOYER CERTIFICATION
(Must be completed by the authorized employer representative)

I hereby affirm or attest that (Employee's Name) _____ is a(n)

☐ owner ☐ W-2 employee of (Company Name) _____, does not receive compensation as a 1099 independent contractor, and will be acting on the company's behalf as a loan originator. I also affirm that to the best of my knowledge he/she originates **ONLY** for this company. I further affirm that he/she is covered under the company's surety bond or other form of financial responsibility, as required by LSA-R.S. 6:1088(C).

Signed this _____ day of _____, 20_____.

(Signature of authorized Company Representative)

(Print Name and Title)

* * * * *

STATE OF _____

PARISH OR COUNTY OF _____

Before me, the undersigned authority, personally came and appeared (Name) _____
who, first being duly sworn, declared under oath that he/she is the (Title) _____ of
(Company Name) _____ and that all statements and representations made in the
foregoing registration are true and correct to the best of his/her knowledge and belief.

Sworn to and subscribed before me on this ____ day of _____, 20____, at _____,

(City)

(State)

(Signature of Notary Public)

(Print name of Notary Public)

(Affix Seal)

CONFIDENTIAL

AUTHORITY TO OBTAIN INFORMATION FROM OUTSIDE SOURCES	
Name:	Social Security #:
Home Address, City, State, Zip Code:	
Date of Birth:	Home Telephone No:
Read the following questions carefully. If the answer is "yes" to any of the questions, attach a full written explanation. Include names, dates, court name and address, case number, judgement amounts.	
Have any civil judgments been entered against you during the past 10 years?	() Yes, attach explanation () No
Are there any civil proceedings pending against you or civil judgments entered against you which involve fraud or dishonesty?	() Yes, attach explanation () No
Have you been convicted of or entered a plea of Nolo Contendere to a felony?	() Yes, attach explanation () No
Have you ever been convicted of or entered a plea of Nolo Contendere to any misdemeanor involving theft, fraud, or dishonesty?	() Yes, attach explanation () No
Have you been the subject of a bankruptcy, assignment for the benefit of creditors, receivership, conservatorship, or any similar proceeding?	() Yes, attach explanation () No
Have you been refused a license or registration to do business under the provisions of a similar law or subject to any enforcement proceedings by any State or Federal government agency involving the revocation or suspension of any business, fines or penalties?	() Yes, attach explanation () No
Have you been discharged for cause or been requested to resign from any employment position?	() Yes, attach explanation () No
I hereby authorize the licensing authority to make inquiries from any financial institution, credit bureau or law enforcement agency for the purpose of determining his/her financial responsibility, character and fitness in connection with an application for a license or registration.	
I hereby certify that the information on this form , to the best of my knowledge, is complete and accurate.	
<div style="text-align: right;">_____ Signature</div>	
SUBSCRIBED BEFORE ME ON THIS _____ day of _____, 20 _____.	
AT: _____, _____ (CITY) (STATE or COMMONWEALTH)	
PRINT NAME OF NOTARY PUBLIC:	SIGNATURE OF NOTARY PUBLIC:

CONFIDENTIAL

EMPLOYMENT/EXPERIENCE HISTORY FOR THE LAST 10 YRS

(Attach additional sheets, if necessary.)

NAME: _____

Social Security No. _____

Employer Name and Address	Position/Brief Description of Duties	Start Date	End Date	Reason for Leaving

LIST RESIDENTIAL ADDRESSES FOR THE LAST 10 YRS

(Attach additional sheets, if necessary.)

Residential Address	Start Date	End Date

STATE OF LOUISIANA
OFFICE OF FINANCIAL INSTITUTIONS
BATON ROUGE, LOUISIANA

August 12, 2003

POLICY NO. RML-01-03

EMPLOYEE DEFINED

PURPOSE:

To clarify who is an employee pursuant to LSA-R.S. 6:1083(6) definition of originator.

TO WHOM THIS POLICY APPLIES:

All natural persons who originate loans for a mortgage broker or a mortgage lender subject to the Residential Mortgage Lending Act ("RMLA").

SPECIFICS:

Originator is defined, in part, by the RMLA as a natural person who is an employee of a mortgage broker or mortgage lender who is not acting as a mortgage broker or mortgage lender as defined in the RMLA. Employee is not defined in the RMLA, therefore, we look to other sources for guidance, including both the Internal Revenue Service ("IRS") and the Louisiana Department of Labor ("LDL").

The IRS considers the following three factors to determine if a person is an employee:

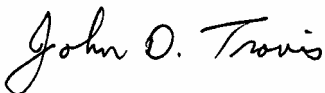
1. Behavioral Control – A worker is an employee when the business has the right to direct and control the worker. The company does not have to actually control the way the work is done as long as the company has the right to do so.
2. Financial Control – An employee would not normally have a significant investment in his work, incur high unreimbursed business expenses, or realize a profit or incur a loss from the business.
3. Relationship of the Parties – How do the business and worker perceive their relationship?

The LDL defines an employee as an individual who performs services for wages under any written or oral contract and whose wages are subject to unemployment insurance taxes. An individual is **not** an employee if it can be shown that the individual:

1. has been and will continue to be free from any control or direction over the performance of such services both under his contract and in fact; and
2. such service is either outside the usual course of the business for which such service is performed, or that such service is performed outside of all the places of the enterprise for which such service is performed; and
3. such individual is customarily engaged in an independently established trade, occupation, profession, or business.

After taking the above factors into consideration, employee is hereby defined as a natural person who works under the direction and supervision of a mortgage broker or lender and is paid a salary or commission but does not realize a profit or incur a loss from the business. Said person must be under the exclusive control of only one mortgage broker or lender for the purposes of conducting residential mortgage lending activities and whose compensation is subject to withholding of federal and state taxes, unemployment insurance, and social security.

APPROVED BY:



John D. Travis
Commissioner

8/12/03

Date

**State of Louisiana
Office of Financial Institutions**

List of Continuing Education Providers

<p>Louisiana Mortgage Lenders Association 8550 United Plaza Blvd., Suite 1001 Baton Rouge, LA 70809 Phone: 225-922-4642 Contact: Sarah Phillips Website: www.lmla.com</p>	<p>First Professional Real Estate School, Inc. (on-line course and live class provider) Metairie, LA Contacts: Roy L. Ponthier, Jr., Ph.D. Phone: 1-800/966-9866 or 504/454-9866 Fax: 504/888-0346 www.proeducate.com</p>
<p>Donaldson Education Services Contacts: Keith Donaldson Phone: 800/257-2741 or 504/456-1785 Fax: 504/456-1789 E-Mail: www.donaldsoneducational.com</p>	<p>Mortgage Training Institute, Inc. Denver, CO Contact Person: Jon Exley Phone: 303/758-9037 or 1-877/684-3549 Fax : 303/759-3925 E-Mail: jexley@mortgageknowledge.com Web Site: www.mortgageknowledge.com</p>
<p>Bedford Group, LLC 713 Heavens Drive #4 Mandeville, LA 70471 Ph: (985) 845-3782 Toll Free: (800) 701-0390 Contact Person: Rod Russell E-mail: rodrussell@bedfordgroup.info Website: http://www.bedfordgroup.info/</p>	<p>Bob Brooks School of Real Estate & Insurance, Inc. (on-line course and live class provider) 6721 Pecue Lane Baton Rouge, LA 70817 Phone: 225-752-2920 or 1-800-448-5693 Fax: 225-752-6815 Contact Person: Bob Brooks Web Site: www.bobbbrooksschool.com</p>
<p>Mortgage Research, Inc. (on-line course provider) 2959 Cherokee Street, Suite 202 Kennesaw, GA 30144 Toll Free 1-888-557-6770 Contact Personnel: Dan G. Johnson or Jerry Lee Kelly website www.mortgage-education.com</p>	<p>Advanced Education Systems (on-line course provider) Contact Person: Christopher D. Nickerson 73 West Timonium Road Timonium, Maryland 21093 Phone# 1-877-878-3600 Website www.TrainingPro.com</p>
<p>Financial Strategies 690 Pro Med Lane Carmel, IN 46032 Toll-Free Phone: (866) 411-9752 Local Phone: (317) 566-0425 Fax: (317) 566-0601 website www.mymortgagetrainer.co Contact Person: Don Huntzinger</p>	<p>Direct Mortgage Consulting 5136 Belle Drive Metairie, LA 70006 Phone: (504) 231-8936 Fax: (504) 780-1518</p>
<p>Mortgage Bankers Association (online class provider) 1919 Pennsylvania Ave, NW Washington, DC 20006 Phone #202-557-2763 Fax #202-721-0166 www.campusmba.org Contact Person: Jennifer Ridings, BCA</p>	